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C O N F I D E N T I A L SECTION 01 OF 02 MANILA 000757

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TAGS: PHUM PGOV PREL RP
SUBJECT: AMBASSADOR DISCUSSES DAVAO KILLINGS REPORT WITH
HUMAN RIGHTS WATCH

REF: A. MANILA 653 (BRUTAL MURDER INVESTIGATED AS
EXTRAJUDICIAL KILLING)
1B. MANILA 494 (AMBASSADOR ENGAGES GOVERNMENT CIVIL
SOCIETY ON HUMAN RIGHTS)

Classified By: Ambassador Kristie A. Kenney,
reasons 1.4 (b) and (d).

11. (C) SUMMARY: The Ambassador met April 7 with Human Rights Watch Executive Director Kenneth Roth to discuss that group's new report on the long-running vigilante killings of street children, gang members, and petty criminals in Mindanao's southern city of Davao. Roth said his group's extensive research last year revealed that Davao Mayor Rodrigo Duterte, local officials, and current and former Davao police officers appear to be complicit in at least permitting the vigilantism and possibly in arranging actual killings. Davao's outspoken, anti-crime Mayor Duterte has steadfastly denied any involvement in the alleged vigilante ring, which the Philippine Commission on Human Rights asserts has caused over 800 deaths in 10 years. The Ambassador told Roth she would use the report's compelling evidence to underscore our urgent concern on the Davao killings with senior Philippine officials and to again urge the government to undertake thorough investigations, which President Arroyo's office and the Philippine National Police chief have publicly committed to do. The release of this Human Rights Watch report, unprecedented in scope and detail, comes one week after the Commission on Human Rights initiated an ongoing series of public hearings to launch its own investigation. END SUMMARY.

AN NGO'S GROUND-BREAKING REPORT ON DAVAO KILLINGS

12. (C) The Ambassador met April 7 with Human Rights Watch (HRW) Executive Director Kenneth Roth to discuss HRW's new, ground-breaking report on the vigilante-style killings of street children and criminals that have been occurring in the southern Mindanao city of Davao since 1998. The report contains information gleaned from dozens of interviews with Davao victims' relatives or those with inside knowledge of the vigilante group believed responsible for the killings, which observers have labeled the "Davao Death Squad." The report squarely blames Davao Mayor Rodrigo Duterte and local officials for tolerating the killings and even enabling them -- through the support of the city police, who are controlled by the Mayor. Roth explained that Davao, the largest city in Mindanao, has long had a reputation for using extrajudicial means to keep the city crime-free. Duterte has in the past publicly boasted about the city's success in reducing crime rates, Roth said, although Duterte has consistently denied any involvement in vigilante killings. Roth observed that the reduced crime rates were a misconception and that the crime rate had actually outpaced population growth. Roth further noted that the killings targeted petty criminals, such as teenage drug dealers, rather than the "big fish," the criminals who produce the drugs. At least 800 Davao killings

since 1998 were attributable to vigilantes, according to the Philippine Commission on Human Rights (CHR).

AMBASSADOR OFFERS U.S. SUPPORT

¶3. (C) The U.S. deplores the Davao killings and all other human rights abuses, the Ambassador told Roth, whether committed by state actors or others. The Ambassador commended Roth for HRW's important contribution, bringing to light an issue that had not been thoroughly researched by any major NGO. The Ambassador offered to reinforce the report's key conclusions with the Mission's many senior Philippine contacts, noting that the level of detail achieved in the report would afford the U.S. and others an opportunity to confidently discuss the Davao Killings with solid evidence in-hand. The U.S. Mission, the Ambassador continued, was engaged in a concerted effort to raise our human rights concerns at public events and in private meetings with senior officials. Noting that Mayor Duterte had in the past not been eager to establish dialogue with the U.S. Embassy, the Ambassador nonetheless reassured Roth that U.S. engagement with the Philippine government on human rights issues would not diminish, and, in fact, with this new report, would expand to include strong U.S. concern about the Davao killings.

PRESIDENT'S OFFICE REACTS TO THE REPORT

¶4. (C) Roth described to the Ambassador his meeting earlier that day with President Arroyo's Executive Secretary Eduardo

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Ermita, who appeared to take the HRW report seriously. Roth told Ermita that HRW would watch closely for any new official statements or condemnations of the Davao killings from the Office of the President. Post has noted that while the President's office released a public statement March 31 in support of the CHR investigation, Ermita said on April 1 that he did not see any basis for the CHR to conduct a separate investigation into Mayor Duterte's connection to the killings. Philippine National Police (PNP) Director Versoza declared April 7 at a CHR hearing in Davao that the police would "go hard" against the perpetrators of these killings, but disagreed with NGO accusations that the killings were state-sponsored. Versoza urged citizens to cooperate, through testimony and evidence, to bring suspects to trial.

COMMISSION ON HUMAN RIGHTS CONTINUES INVESTIGATION

¶5. (C) After an initial series of public hearings that began March 30 in Davao and adjourned for the Easter holiday, the CHR's Legal and Investigation Office chief told the Mission that the CHR will resume hearings this week to collect evidence from additional witnesses and NGOs, with sessions to be chaired again by CHR Chairperson Leila DeLima. PNP Chief Versoza, the PNP Regional Director, and the Armed Forces of the Philippines are cooperating with the CHR investigation and have pledged to submit reports on killings that occurred on or after 2005, which is the cut-off date selected by the CHR to make this incredibly broad investigation both manageable and relevant. After concluding its hearings, the CHR will draft a report and examine its next steps.

MAYOR DUTERTE DENIES INVOLVEMENT

¶6. (SBU) Mayor Duterte, in attendance at the CHR hearings, acknowledged that he did not believe the killings were perpetrated by vigilantes, but rather were the result of gang wars. He flatly denied the existence of a death squad that operated under the control of the city government, police, or military, contradicting other testimony at the hearing by a Davao Trial Court judge, who said that the vigilante group

existed, receiving support and protection from backers. Duterte, in a sensational, heated exchange with DeLima, said that if he were confronted by the leader of the vigilante ring, he would "shoot (him) in public," a comment that illustrated his alleged penchant for extra-legal recourse, further raising suspicions among participants at the CHR hearing that the Mayor could be involved in the Davao vigilante ring.

COMMENT

¶7. (C) Over the past three months, the Mission has been engaged in public and private outreach efforts and intensive training activities to seek to further reduce the level of extrajudicial killings (EJKs) that take place in the Philippines. While all observers agree that the rate of EJKs in the Philippines as a whole has declined dramatically in the past two years, preventing EJKs and other killings still remains a challenge, particularly in Davao, where Mayor Duterte remains a powerful -- and popular -- political figure. In private meetings with senior Philippine officials, the Ambassador has continued to call attention to the need for strong action on the part of the Philippine government to address human rights abuses. Since December, the Ambassador and senior Mission officials have participated in seven events to call attention to human rights issues, including a round-table discussion with human rights leaders at the Chief of Mission residence, training seminars for Philippine prosecutors on how to move cases effectively through trial, and a two-day seminar on human rights and EJKs, taught by FBI special agent instructors, for cadets at the Philippine National Police. This type of training will continue in the coming months. The Human Rights Watch report represents the first major effort to produce a more factual accounting of the situation in Davao. The Mission will incorporate the report's findings into our outreach activities and press the Philippine government to take concrete action. The Mission also aims to use the report to further support the Commission on Human Rights and others in their efforts to respond to the long-term human rights challenges in the Philippines.

KENNEY